REMARKS

In accordance with the foregoing, claims 1-3, 5, 6, 8-10, 12, 13, 15-17, 19, 20 and 22 are amended. No new matter is added. Claims 4, 11, and 18 remain cancelled. Claims 1-3, 5-10, 12-17, and 19-22 are pending and under consideration.

CLAIM REJECTION UNDER 35 U.S.C. §103

In paragraph 4 on page 3 of the Office Action mailed April 9, 2008, claims 1-3, 5-10, 12-17, and 19-21 are rejected under 35 U.S.C. §103(a) as allegedly being anticipated by U.S. Patent No. 6,957,350 to Demos (hereinafter "Demos") in view of U.S. Patent No. 6,236,727 to Ciacelli et al. ("Ciacelli") and U.S. Patent No. 6,801,999 to Venkatesan et al. ("Venkatesan").

Claims 1-3, 5, 6, 8-10, 12, 13, 15-17, 19, 20 to simplify and clarify the language. No new matter is added, the amendments being supported by the originally filed specification and claims.

Applicants respectfully request response and acknowledgement from the Examiner that she understands and takes into consideration the following argument. The present inventive concept refers to inserting at least one selected watermarking program into an area of a processing program to generate an image processing program for moving image data at the time of the decoding, while the prior art references, Demos, Ciacelli and Venkatesan refer to inserting a watermark into image data at the time of the encoding (see e.g. FIGS. 7 and 14 of Demos). As exemplarily illustrated in S412 of FIG. 4 and described on page 13, lines 20-25, a watermark inserting module is inserted in one of the non-operation areas of an MPEG expansion module. The combined modules (S413) are output (S413) to the main memory (104 in FIG. 1).

Independent claim 1 is directed to an apparatus having a program selecting unit, an area selecting unit and a program inserting unit.

Demos fails to anticipate or render obvious "**an area selecting unit** that selects at least one area of a processing program for inserting the selected at least one watermarking program" as recited in claim 1. The Office Action alleges that the statement "it is better to watermark the larger number of B frames" which starts on col. 22, line 60 of Demos, FIG. 7 and further references to manner of applying watermarking in different frames anticipate the area selecting unit having the features recited of claim 1. Applicants respectfully point out that Demos refers to inserting the watermark into the video data, and not an area selected unit as recited in claim 1

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that selects **an area of the processing program** where the at least one selected watermarking program is to be inserted.

Further, Demos fails to anticipate or render obvious "**a program inserting unit** that generates the image processing program by inserting the selected at least one watermarking program into the selected at least one area of the processing program" as recited in claim 1. The Office Action alleges that step 1401 of FIG. 14 in Demos anticipate the above identified recitation of claim 1. However, FIG. 14 of Demos is a method of applying the watermark techniques (see Demos, page 4 lines 25-26 and col. 28, lines 14-30). Step 1401 is merely "[Applying] watermark" in image data which is different from generating an image processing **program** by inserting a selected watermarking program into a selected area of a processing program. In other words the outcome of step 1401 is image data with a watermark inserted, while the program inserting unit of claim 1 generates a program in which watermarking program is inserted, the generated program being than use to watermark moving data.

The newly cited reference, Venkatesan, is directed to passive and active objects containing break-once-run-everywhere (BORE) resistant watermarking. Venkatesan does not correct or compensate the above-identified failure of Demos in anticipating or rendering obvious the features recited in claim 1. Applicants respectfully submit that the Office Action fails to present reasoning as to how are Venkatesan's teachings relevant to the features recited in the claims. Applicants respectfully note that the objective in Venkatesan is Digital Right Management (DRM) and BORE resistance which are different concepts from a tamper resistant module (TRM) and tamper resistance, difference which is easily recognized by a person of ordinary skill in the art.

Additionally, although Ciacelli is listed as relevant to the obviousness rejection, the Office Action makes no reference and no connection with Ciacelli's disclosure.

In view of the above arguments, claim 1 and claims 2, 3, and 5-7 depending from claim 1 patentably distinguish over the cited prior art at least because the following recitation of claim 1 is not anticipated by Demos, Ciacelli and Venkatesan alone or in combination.

Independent claim 8 patentably distinguishes over the cited prior art references at least by reciting:

- selecting at least one area from a plurality of areas of a processing program for inserting the selected at least one watermarking program, and

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- generating the image processing program by inserting the selected at least one watermarking program into the selected at least one area of the processing program.

Claims 9, 10, 12-14 are also patentable at least by inheriting patentable features from claim 8 from which they depend directly or indirectly.

Independent claim 15 patentably distinguishes over the cited prior art references at least by reciting:

- selecting at least one area from a plurality of areas of a processing program for inserting the selected at least one watermarking program in the processing program, and

- generating the image processing program by inserting the selected at least one watermarking program into the selected at least one area of the processing program.

Claims 16, 17, 19-21 are also patentable at least by inheriting patentable features from claim 8 from which they depend directly or indirectly.

CLAIM 22

Applicants respectfully submit that the Office Action fails to consider claim 22 newly added by the amendment filed on March 2008. Claim 22 is directed to an apparatus generating an image processing program that performs watermarking together with decrypting, expanding, or both decrypting and expanding moving image data. The claim patentably distinguishes over the cited prior art at least by reciting:

> an area selecting unit that selects at least one location in a processing program that performs decrypting, expanding, or both decrypting and expanding moving image data, for respectively inserting the selected at least one watermarking program; and

> a program inserting unit that generates an image processing program by inserting each of the selected at least one watermarking program into a respective one of the selected at least one location of the processing program.

CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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